

The Honorable Timothy W. Dore
Chapter 7
Hearing Location: Telephonic
Hearing Date: March 26, 2021
Hearing Time: 9:30 a.m.
Response Date: March 19, 2021

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

In Re:)
) Chapter 7
) No. 20-11870
NICHOLAS CLIFTON BARNARD)
)
) TRUSTEE'S MOTION
) FOR ORDER ALLOWING CLAIMS
) AND DISALLOWING CLAIMS
)
Debtor.)
_____)

COMES NOW the Chapter 7 Trustee, Ronald G. Brown, and moves this court as follows:

The Trustee has examined the claims filed in the above named bankruptcy, and categorized them in accordance with the priorities set forth in 11 U.S.C. Section 726. The Trustee will present a final Order Allowing and Disallowing Claims on the above-referenced date. Any claim objections by the Trustee will be considered by the court at the time set for hearing. Modifications to the order may be made at the time of the hearing. The Trustee's proposed order is as follows:

The Trustee proposes to allow the following claims:

PRIORITY CLAIMS

Claim No.	Claimant	Amount
6A	Internal Revenue Service	\$2,301.12
TOTAL PRIORITY CLAIMS		\$2,301.12

TRUSTEE'S MOTION FOR ORDER ALLOWING
AND DISALLOWING CLAIMS - 1

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GENERAL UNSECURED CLAIMS

Claim No.	Claimant	Amount
1	Quantum3 Group LLC	\$24,605.95
2	Department Stores National Bank	\$201.48
3	American Express National Bank	\$2,675.84
4	American Express National Bank	\$1,308.53
5	TD Bank, USA	\$818.47
7	Ashley Funding Services, LLC	\$114.62
13	Credit First NA	\$1,288.23
14	BECU	\$1,505.63
15	BECU	\$2,147.82
16	Portfolio Recovery Services	\$2,634.03
17	Evergreen Professional Recoveries	\$1,171.00
TOTAL GENERAL UNSECURED CLAIMS		\$38,471.60

TAX PENALTY CLAIMS

Claim No.	Claimant	Amount
6B	Internal Revenue Service	\$171.69
TOTAL TAX PENALTY CLAIMS		\$171.69

The trustee proposes to deny the following claims:

Claim No.	Claimant	Reason(s)
8 (Amended)	Michele Eckman	Claim and amended claim were not filed by claimant; debtor prematurely filed the claims which, pursuant to BR 3004, cannot be filed until 30 days after the claims bar date, which was 3/12/21, if claimant does not file a claim pursuant to BR 3004. Claims were filed with a statement of the claim which is inadequate to evaluate the claim. The lack of adequate

TRUSTEE'S MOTION FOR ORDER ALLOWING
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supporting documentation does not allow the Trustee to ascertain the extent that the claim qualifies for the class of claim asserted in the proof of claim, that it constitutes a liability of the estate, or that it may allow an evaluation by the Trustee to determine the extent, if any, of applicable defenses to the claim. Claim is disallowed in full.

9 Randi Dolan

Claim was not filed by claimant; debtor prematurely filed the claim which, pursuant to BR 3004, cannot be filed until 30 days after the claims bar date, which was 3/12/21, if claimant does not file a claim pursuant to BR 3004. Claim was filed with a statement of the claim which is inadequate to evaluate the claim. The lack of adequate supporting documentation does not allow the Trustee to ascertain the extent that the claim qualifies for the class of claim asserted in the proof of claim, that it constitutes a liability of the estate, or that it may allow an evaluation by the Trustee to determine the extent, if any, of applicable defenses to the claim. Claim is disallowed in full.

10 Kay Hessemer

Claim was not filed by claimant; debtor prematurely filed the claim which, pursuant to BR 3004, cannot be filed until 30 days after the claims bar date, which was 3/12/21, if claimant does not file a claim pursuant to BR 3004. Claim was filed with a statement of the claim which is inadequate to evaluate the claim. The lack of adequate supporting documentation does not allow the Trustee to ascertain the extent that the claim qualifies for the class of claim asserted in the proof of claim, that it constitutes a liability of the estate, or that it may allow an evaluation by the Trustee to determine the extent, if any, of applicable defenses to the claim. Claim is disallowed in full.

TRUSTEE'S MOTION FOR ORDER ALLOWING
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11
(Twice amended)

Benjamin Schwartz

Claim and amended claims were not filed by claimant; debtor prematurely filed the claims which, pursuant to BR 3004, cannot be filed until 30 days after the claims bar date, which was 3/12/21, if claimant does not file a claim pursuant to BR 3004. Claims were filed with a statement of the claim which is inadequate to evaluate the claim. The lack of adequate supporting documentation does not allow the Trustee to ascertain the extent that the claim qualifies for the class of claim asserted in the proof of claim, that it constitutes a liability of the estate, or that it may allow an evaluation by the Trustee to determine the extent, if any, of applicable defenses to the claim. Claim is disallowed in full.

12
(Amended)

U.S. Department of
Education

Claim and amended claim were not filed by claimant; debtor prematurely filed the claims which, pursuant to BR 3004, cannot be filed until 30 days after the claims bar date, which was 3/12/21, if claimant does not file a claim pursuant to BR 3004. Claims were filed with a statement of the claim which is inadequate to evaluate the claim. The lack of adequate supporting documentation does not allow the Trustee to ascertain the extent that the claim qualifies for the class of claim asserted in the proof of claim, that it constitutes a liability of the estate, or that it may allow an evaluation by the Trustee to determine the extent, if any, of applicable defenses to the claim. Claim is disallowed in full.

The proposed order is based on a claims register prepared by the Clerk of the Court. If a claim is not listed on the proposed order, the Trustee has not been informed by the Clerk that such claim has been properly filed with the Court. Unless a claimant asserting an unlisted claim submits evidence to the Trustee prior to the time of hearing that its claim has been properly filed, such claim will not be allowed or paid. No claim may be allowed by the Trustee unless the claim is properly documented. Upon entry of an Order of Disbursement, after costs of administration are paid (which cannot yet be estimated) the Trustee will pay the claims, by priority of creditor class, in the sequence presented above. The claims in a higher creditor class will be fully

TRUSTEE'S MOTION FOR ORDER ALLOWING
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1 satisfied before any payment is made on claims in the following creditor class in priority. If,
2 after the payments of claims in all higher priorities, there are insufficient funds to fully satisfy
3 the claims of the next unpaid creditor class in priority, the claimants in that creditor class will
4 share the remaining funds pro rata.

5 WHEREFORE, the Trustee moves this court for the entry of the proposed order allowing
6 and disallowing claims, prioritizing said claims in the sequence provided in the Bankruptcy
7 Code.

8 DATED this 16th day of February, 2021.

9
10 /s/ Ronald G. Brown
11 Ronald G. Brown, WSBA #8816
12 Chapter 7 Trustee
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28 TRUSTEE'S MOTION FOR ORDER ALLOWING
AND DISALLOWING CLAIMS - 5

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